

Attorney Docket No. 88519.0012  
Customer No.: 26021

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1.(Currently amended): A semiconductor light emitting device, comprising a substrate, and at least a first semiconductor layer, an active layer and a second semiconductor layer that are sequentially provided on the substrate,

wherein the second semiconductor layer has a polarity different from that of the first semiconductor layer, and ~~the~~ a total area of the first semiconductor layer, the active layer and the second semiconductor layer in side faces where the active layer is uncovered is 5% or more of ~~the~~ an area of ~~the~~ an upper face which is uncovered at ~~the~~ a side of the second semiconductor layer.

2.(Currently amended): A semiconductor light emitting device, comprising a substrate, and at least a first semiconductor layer, an active layer and a second semiconductor layer that are sequentially provided on the substrate,

wherein the second semiconductor layer has a polarity different from that of the first semiconductor layer, and ~~the~~ a shortest distance from all points contained in the active layer to side faces where the active layer is uncovered is 40  $\mu\text{m}$  or less.

3.(Original): A semiconductor light emitting device, comprising a substrate, and at least two or more mesa portions in each of which a first semiconductor layer, an active layer and a second semiconductor layer that are sequentially provided on the substrate,

wherein the second semiconductor layers have a polarity different from that of the first semiconductor layers and further the second semiconductor layers and the active layers are spatially separated between the mesa portions.

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4.(Original): A semiconductor light emitting device, comprising a substrate, and at least two or more mesa portions in each of which a first semiconductor layer, an active layer and a second semiconductor layer that are sequentially provided on the substrate,

wherein the second semiconductor layers have a polarity different from that of the first semiconductor layers and further except one or more bridge portions for connecting the mesa portions the second semiconductor layers and the active layers are spatially separated between the mesa portions.

5.(Currently amended): A semiconductor light emitting device, which sequentially comprises at least a substrate, a first semiconductor layer, an active layer, and a second semiconductor layer,

wherein the second semiconductor layer has a polarity different from that of the first semiconductor layer, and ~~the~~ an upper face which is uncovered at ~~the~~ a side of the second semiconductor layer has a concave extending from the uncovered upper face at the side of the second semiconductor layer at least to the active layer.

6.( Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 2 to 4,

wherein ~~the~~ a total area of the first semiconductor layer, the active layer and the second semiconductor layer in ~~the~~ side faces where the active layer is uncovered is 5% or more of ~~the~~ an area of ~~the~~ an uncovered upper face at ~~the~~ a side of the second semiconductor layer.

7.( Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 3 to 5,

wherein ~~the~~ a shortest distance from all points contained in the active layer to ~~the~~ side faces where the active layer is uncovered is 40  $\mu$ m or less.

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8.( Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 1, 2, and 5,

wherein ~~the~~ a shape of the uncovered upper face at the side of the second semiconductor layer has an apex having an angle of less than 45 degrees.

9.( Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 1, 2, and 5,

wherein one of interior angles made by the side faces where the active layer is uncovered and the uncovered upper face at the side of the second semiconductor layer is 138 degrees or more.

10.( Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 1 to 5,

wherein ~~the~~ a face of the substrate opposite to ~~the~~ a face of the substrate where the first semiconductor layer is formed has a reflecting layer.

11.(Currently amended): The semiconductor light emitting device according to any one of claims ~~claim~~ 1 to 5,

which is a group III Nitride Compound Semiconductor light emitting device represented by  $\text{Al}_x\text{Ga}_y\text{In}_{1-x-y}\text{N}$  wherein ( $0 \leq x \leq 1$ ,  $0 \leq y \leq 1$ , and  $0 \leq x + y \leq 1$ ).

12. (New) The semiconductor light emitting device according to claim 5,

wherein ~~the~~ a total area of the first semiconductor layer, the active layer and the second semiconductor layer in side faces where the active layer is uncovered is 5% or more of the area of the uncovered upper face at the side of the second semiconductor layer.

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13.( New): The semiconductor light emitting device according to any one of claims 3 and 4,

wherein a shape of an uncovered upper face at a side of the second semiconductor layer has an apex having an angle of less than 45 degrees.

14.( New): The semiconductor light emitting device according to any one of claims 3 and 4,

wherein one of interior angles made by side faces where the active layer is uncovered and an uncovered upper face at a side of the second semiconductor layer is 138 degrees or more.